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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	:	X
MIRENA IUS LEVONORGESTREL-RELATED	:	17-MD-2767 (PAE)
PRODUCTS LIABILITY LITIGATION (NO. II)	:	17-MC-2767 (PAE)
	:	<u>ORDER NO. 8</u>
<i>This Document Relates to All Actions</i>	:	

PAUL A. ENGELMAYER, District Judge:

A conference in this case is scheduled for July 27, 2017, to address issues relating to discovery from the defense, as well as issues relating to the schedule by which early discovery of particular plaintiffs is to be conducted and the means by which such plaintiffs are to be selected. As to the latter, the Court has carefully reviewed the parties' submissions as to an appropriate "fact sheet" for plaintiffs. The Court has also reviewed the fact sheet approved by Judge Seibel, on consent of the parties, in the earlier Mirena MDL.

The Court's judgment is that a detailed fact sheet, consistent with the one used in the earlier MDL and broadly consistent with the one proposed by the defense here, is most appropriate. Such a fact sheet, more than the less detailed fact sheet proposed by plaintiffs, will empower the parties and the Court to assure, as promptly and reliably as possible, that suitable plaintiffs are chosen for early discovery.

The Court accordingly directs counsel forthwith to work together collegially to complete the preparation of a plaintiffs' fact sheet consistent with these parameters, and to complete such a fact sheet, for submission to the Court by noon on Tuesday, July 25, 2017. The Court is hopeful that counsel will be able to resolve this assignment without the need for further judicial intervention. In the event, however, that differences remain among the parties as to particulars, the parties are to submit, by noon on Tuesday, July 25, 2017, a joint letter

identifying each area of difference, and, alongside each, briefly setting forth each party's position. Along with this letter, counsel are to submit a draft of the fact sheet identifying, in redline, the parties' alternative formulations as to any disputed component(s). The Court's intention would be to take up at the July 27, 2017 conference, if necessary to facilitate its resolution, any open issues regarding the fact sheet.

SO ORDERED.

Dated: July 20, 2017

New York, New York


PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE